

CHAPTER 29

MOTOR VEHICLE OPERATIONS

29-1. GENERAL.

a. All persons entering the Fort Bragg Military Reservation are liable to search upon entry, while within the confines of the installation, or upon exit. Such searches are authorized when based upon probable cause that an offense has been committed or upon military necessity.

b. North Carolina State Motor Vehicle Laws become Federal laws on the Fort Bragg installation under the Assimilative Crimes Act (18 U.S.C. 13); therefore, any violation of North Carolina traffic laws shall be a chargeable offense within the confines of the military installation.

c. Authority to revoke, suspend, or limit installation driving privileges is delegated to the Deputy Commanding General, the Garrison Commander, the Provost Marshal and the Deputy Provost Marshal, as specified in this chapter.

d. The operation of a privately owned motor vehicle on a military installation constitutes a conditional privilege extended by the installation commander. This privilege is reserved for persons of maturity, responsibility and sobriety. Vehicle owners and vehicle operators who do not meet these criteria will not operate vehicles on this reservation. Individuals desiring this privilege will meet the following sustaining conditions:

(1) Comply with laws and regulations governing motor vehicle operation on the installation.

(2) Possess while operating a motor vehicle and produce on demand of enforcement personnel:

(a) Proof of vehicle ownership or State registration.

(b) A valid State driver's license.

(c) A valid record of motor vehicle safety inspection, if required.

29-2. REGISTRATION OF MOTOR VEHICLES.

a. Registration of privately owned motor vehicles (POVS) by employees is mandatory. Civilian employees should be advised that failure to obtain a Fort Bragg or Pope AFB sticker for

their POV(s) may result in delays at access control points to the installation. (See paragraph 29-9 below)

b. Vehicles may be registered at the Vehicle Registration Office, Main Post Welcome Center, Knox and Randolph Streets, 8:00 a.m. to 4:00 p.m. daily.

c. The following documentation will be required at the time of registration:

(1) Valid driver's license.

(2) Civilian Identification Card or Military Identification Card (if retired).

(3) State Vehicle Registration.

(4) Proof of Insurance, to include the effective and expiration dates.

(5) State Inspection certificate (if the vehicle is registered in a State which has no inspection requirement, a NC inspection certificate is required).

d. Questions pertaining to vehicle registration should be addressed to the Vehicle Registration Office, 6-6674.

29-3. DRIVING WHILE INTOXICATED.

a. Driving vehicles while intoxicated is a serious offense that threatens human life. This behavior will not be tolerated and will be met with swift administrative or disciplinary action. Offenders could have their on-post-driving privileges suspended or revoked.

b. In the State of North Carolina, any person granted the privilege of operating a motor vehicle on or off a military installation shall be deemed to have given his consent to a chemical test of his blood, breath or urine for the purpose of determining alcoholic impairment if cited or lawfully apprehended for any offense allegedly committed while driving or in actual physical control of a motor vehicle on the installation under the influence of intoxicating liquor. The test shall be incidental to a lawful apprehension and administered at the direction of the installation law enforcement official having reasonable cause to believe such person was driving or was in actual physical control of a motor vehicle on a highway, roadway, or public vehicular area while under the influence of intoxicating liquor. Any person who is in a condition rendering him incapable of refusal shall be deemed not to have withdrawn his consent and such tests may be

administered whether or not such person is told that his failure to submit to or complete the test will result in the suspension of his privilege to operate a motor vehicle.

29-4. SUSPENSION OF PRIVILEGES TO OPERATE A GOVERNMENT MOTOR VEHICLE.

a. DOD and Army regulations provide the requirement for civilian personnel to possess a valid state driver's license in order to operate government motor vehicles. Consequently, upon termination of the driver's license or driving privileges by state authorities, supervisors of civilian employees whose official duties include driving government vehicles will follow the procedures listed below:

(1) The supervisor will direct the employee to refrain from driving a government motor vehicle until further notice. The employee will perform only the other duties of his position. Individuals who are full time drivers or who spend a substantial part of their workday driving will, of necessity, be temporarily detailed by the supervisor to perform duties other than driving.

(2) If the employee has been issued a Government Motor Vehicle Operators Identification Card (OF 346), the supervisor will initiate an immediate request to suspend the OF 346 in accordance with established installation procedures.

(3) Once it is known that the employee has regained his state driver's license or driving privileges, either fully or on a limited basis (to and from work), the employee may request installation restricted driving privileges in accordance with Letter, AFZA-JA-AL, 8 Dec 83, subject: XVIII Airborne Corps and Fort Bragg Alcohol Abuse Prevention Policies. Additionally, if the mission of the activity is adversely affected, the supervisor may initiate a request for restricted driving privileges on the installation for those individuals whose official duties include driving government motor vehicles.

b. Upon learning that a civilian employee who drives government motor vehicles has experienced a termination of his driver's license or driving privileges by state authorities, the immediate supervisor should contact the MER Division, 6-6122/8905.

29-5. MISUSE OF GOVERNMENT VEHICLES.

The misuse of government vehicles is covered in Chapter 26 Discipline.

29-6. USE OF SEAT BELTS.

Restraint systems (seat belts) in Army motor vehicles will be used when the vehicle is in motion. This requirement applies to drivers and passengers. Additionally, personnel driving or riding in privately owned vehicles are also required to use installed seat belts while on Army reservations. North Carolina statute mandates the use of seat belts and appropriate fines are assessed for noncompliance.

29-7. DRIVING IN THE VICINITY OF TROOP FORMATIONS.

Troops in formation (including PT formations) have the right-of-way over all other traffic, except certain emergency vehicles. Extreme caution must be exercised when driving in the vicinity of these formations and, on occasion, traffic delays can be expected.

29-8. DRIVING IMPROVEMENT PROGRAM.

Employee(s) that are involved in traffic violations and/or accidents on the installation or who are involved in a traffic violations while operating a government vehicle on or off the installation may be required to attend a Department of Transportation Course approved four (4) hour class which is generally conducted on Saturdays. Those required to attend will have thirty (30) days to attend the training and complete it. Employees will have to be in a leave without pay status or on annual leave if scheduled to work Saturdays when the training is scheduled. For further information please contact the Civilian Personnel Advisory Center (CPAC).

29-9. INSTALLATION ACCESS CONTROL POINTS

a. The Fort Bragg Installation has transitioned from an open post to one with access control points. Effective 1 August 2001, MPs began manning four security pavilions 24 hours a day/7 days per week and a roving team began conducting access control operations at approximately 15 other security pavilions and access points. Modifications of these manning configurations are possible.

b. All civilian employees should have their POVs registered and have Fort Bragg or Pope AFB Sticker(s) on them. Lateness for work caused by detention at an access control point (ACP) due to failure to have a Fort Bragg or Pope AFB sticker will not be considered an excused absence, absent exigent, verifiable circumstances, e.g. registered privately owned vehicle (POV) with a sticker on it in the shop, and rental or friend's car being utilized.

c. Civilian employees coming to work on the installation need to anticipate and plan for the time involved in moving through an ACP in a POV. Unless they are directed to participate in a random vehicle check/inspection, a civilian employee late for work solely due to movement through the ACP will not be granted an excused absence.

d. All those civilian employees directed to participate in a random vehicle check/inspection should ask the attending MP for a vehicle check/inspection form. If the vehicle check/inspection causes a civilian employee to be late for work, this form will help provide substantiation of an excused absence.

e. In summary, if a civilian employee is late for work solely due to movement through an ACP, supervisors should use their best judgement in evaluating the circumstances surrounding the lateness. If counseling or disciplinary action is contemplated, supervisors should contact their servicing Management Employee Relations (MER) Specialist at the Civilian Personnel Advisory Center (CPAC) for advice.